

**IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE: Danny Marshall)	
)	Case No: 18 B 32872
)	Judge: Thorne
)	Chapter 13
Debtor)	

NOTICE OF MOTION

Served upon the following parties electronically:

Office of United States Trustee, Dirksen Federal Building, 219 S. Dearborn, St., Room 873, Chicago, IL 60604

Trustee: Marilyn O. Marshall, 224 S. Michigan Ave., Ste. 800, Chicago, IL 60604

and served upon the following parties via U.S. Mail:

Debtor: Danny Marshall, 1917 E 86th St, Apt#3, Chicago, IL 60617

Creditor: IRS, P.O. Box 7346, Philadelphia, PA 19101

Additional Notice Address: Dr. Patrick Mullarkey, Tax Division, Ben Franklin Station, P.O. Box 55, Washington, DC 20044

Additional Notice Address: IRS, Associate Area Counsel, SB/SE, 200 West Adams Street, Ste. 2300, Chicago, IL 60606

See attached Service List

and served upon the following parties via Certified Mail:

United States Attorney, Civil Process Clerk, 219 S. Dearborn Street, Chicago, IL 60604

PLEASE TAKE NOTICE that on February 20, 2019 at 9:30 a.m.,
or as soon thereafter as I may be heard, I shall appear before the Honorable Judge
Thorne, or any other Bankruptcy Judge presiding in her place in Courtroom 613 of the
Everett McKinley Dirksen United States Courthouse, 219 S. Dearborn St., Chicago,
Illinois, on the attached Objection to Proof of Claim 2 Filed by the IRS, and shall request
that the attached Order be entered, at which time you may appear if so desired.

PROOF OF SERVICE

I, The undersigned, an attorney, hereby certify that a copy of this notice was served electronically or mailed to the above persons, at her respective addresses, postage prepaid, by depositing in the U.S. Mail at 211 W. Wacker Dr., Chicago, IL 60606, before 6:00 p.m. on or before January 16, 2019.

/s/ Angelica M. Harb
Angelica M. Harb
Law Office of Jason Blust, LLC
211 W. Wacker Dr., Ste. 200
Chicago, IL 60606
312-273-5001

Label Matrix for local noticing
0752-1

Case 18-32872

Northern District of Illinois
Eastern Division
Wed Jan 16 18:06:18 CST 2019

U.S. Bankruptcy Court
Eastern Division
219 S Dearborn
7th Floor
Chicago, IL 60604-1702

Arnold Scott Harris
111 W. Jackson Blvd., Ste. 600
Chicago, IL 60604-3517

Capital One Auto Finance
Attn: Bankruptcy
Po Box 30285
Salt Lake City, UT 84130-0285

Chase
POB 15298
Wilmington, DE 19850-5298

Credit One Bank
POB 98873
Las Vegas, NV 89193-8873

Famous Stephenson
POB 2248
Long Beach, CA 90801-2248

First Premier Bank
Attn: Bankruptcy
Po Box 5524
Sioux Falls, SD 57117-5524

(p)ILLINOIS DEPARTMENT OF REVENUE
BANKRUPTCY DEPARTMENT
P O BOX 64338
CHICAGO IL 60664-0338

LVNV Funding
Resurgent Capital
POB 10587
Greenville, SC 29603-0587

Atlas Acquisitions, LLC
294 Union St.
Hackensack, NJ 07601-4303

Aes/suntrust
Attn: Bankruptcy Dept
Po Box 2461
Harrisburg, PA 17105-2461

Autowarehous
3632 North Cicero
Chicago, IL 60641-3641

Capital One Auto Finance, a division of
AIS Portfolio Services, LP
4515 N Santa Fe Ave. Dept. APS
Oklahoma City, OK 73118-7901

City of Chicago Department of Finance
c/o Arnold Scott Harris P.C.
111 W Jackson Blvd ste.600
Chicago IL. 60604-3517

Dept of Ed / Navient
Attn: Claims Dept
Po Box 9635
Wilkes Barr, PA 18773-9635

Fifth Third Bank
Attn: Bankruptcy
1850 East Paris, SE
Grand Rapids, MI 49546-6210

Garda
1917 E 86th St
Chicago, IL 60617-2964

Illinois Student Assistance Commiss
1755 Lake Cook Rd
Deerfield, IL 60015-5209

LVNV Funding, LLC
Resurgent Capital Services
PO Box 10587
Greenville, SC 29603-0587

Capital One Auto Finance, a division of Capi
4515 N Santa Fe Ave. Dept. APS
Oklahoma City, OK 73118-7901

Americash Loans
POB 184
Des Plaines, IL 60016-0003

Capital One
POB 30285
Salt Lake City, UT 84130-0285

Celtic Bank
121 Continental Dr
Suite 1
Newark, DE 19713-4325

City of Chicago Parking
Dept of Revenue
PO Box 88292
Chicago, IL 60680-1292

Easy Accept
3632 North Cicero
Chicago, IL 60641-3641

First Investors Servicing Corp
380 Interstate North Parkway
Suite 300
Atlanta, GA 30339-2222

IRS
Special Procedures - Insolvency
PO Box 7346
Philadelphia, PA 19101-7346

Kay Jewelers
POB 1799
Akron, OH 44309-1799

MidAmerica Bank & Trust Company
Attn: Bankruptcy
Po Box 400
Dixon, MO 65459-0400

NPRT0 Illinois LLC
256 W Date Dr
Draper, UT 84020-2315

Peak Campus
2970 Clairmont Rd
#310
Atlanta, GA 30329-4514

(P) PORTFOLIO RECOVERY ASSOCIATES LLC
PO BOX 41067
NORFOLK VA 23541-1067

Premier Bankcard, Llc
Jefferson Capital Systems LLC Assignee
Po Box 7999
Saint Cloud Mn 56302-7999

T Mobile
4515 N Santa Fe Ave
Oklahoma City, OK 73118-7901

T Mobile/T-Mobile USA Inc
by American InfoSource as agent
4515 N Santa Fe Ave
Oklahoma City, OK 73118-7901

The Payday Loan Store
c/o Creditors Bankruptcy Service
P.O. Box 800849
Dallas, TX 75380-0849

Angelica Harb
Law Office of Jason Blust, LLC
211 W. Wacker Dr., Ste. 300
Chicago, IL 60606-1390

Danny J Marshall
1917 E 86th St
Apt. 3
Chicago, IL 60617-2964

Jason Blust
Law Office of Jason Blust, LLC
211 W. Wacker Drive
Ste. 300
Chicago, IL 60606-1390

Marilyn O Marshall
224 South Michigan Ste 800
Chicago, IL 60604-2503

Patrick S Layng
Office of the U.S. Trustee, Region 11
219 S Dearborn St
Room 873
Chicago, IL 60604-2027

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

Illinois Department of Revenue
Bankruptcy Unit
PO BOX 19035
Springfield, IL 62794-9035

Portfolio Recovery
Capital One Bank
POB 41067
Norfolk, VA 23541

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d)Atlas Acquisitions
294 Union St
Hackensack, NJ 07601-4303

(d)Atlas Acquisitions LLC
294 Union St.
Hackensack, NJ 07601-4303

(d)Capital One Auto Finance, a division of Ca
4515 N Santa Fe Ave. Dept. APS
Oklahoma City, OK 73118-7901

(d)The Payday Loan Store
c/o Creditors Bankruptcy Service
POB 800849
Dallas, TX 75380-0849

End of Label Matrix
Mailable recipients 41
Bypassed recipients 4
Total 45

**IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE: Danny Marshall

Debtor

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)

Case No: 18-32872

Judge: Thorne

Chapter 13

OBJECTION TO PROOF OF CLAIM 2 FILED BY THE IRS

Now comes Danny Marshall (hereinafter referred to as “DEBTOR”), by and through his attorneys, and as his Objection to Proof of Claim 2 Filed by the IRS respectfully represents as follows:

1. On November 26, 2018, the Debtor filed a petition for relief under Chapter 13 of the Bankruptcy Code.
2. This Honorable Court has not yet confirmed the Debtor’s Chapter 13 Plan.
3. On November 30, 2018, the IRS filed a Proof of Claim (hereinafter referred to as “the claim”) in the amount of \$10,640.62 for income tax debts owed (see attached Proof of Claim, referred to as “Exhibit A”).
4. The claim alleges that the Debtor owes \$5,011.50 for the 2017 income tax year for unassessed taxes due based on no return being filed.
5. The Debtor filed his 2017 income tax return and is due a refund of \$234.00 (see attached 2017 income tax return, referred to as “Exhibit B”).
6. Since the Debtor did not owe the IRS for the 2017 income tax year and the Debtor filed his 2017 income tax return, the Debtor is requesting that the Proof of Claim filed by the IRS be reduced by \$5,011.50.

7. Debtor's counsel faxed the IRS a copy of Debtor's 2017 tax return on December 12, 2018.

7. Debtor requests that the IRS be allowed a priority claim in the amount of \$5,464.63.

8. Debtor requests that the IRS be allowed a general unsecured claim in the amount of \$164.49.

WHEREFORE, Debtor prays that this Honorable Court enter an Order reducing the IRS' Proof of Claim by the amount of \$5,011.50, and for such other relief as this Court deems proper under the circumstances.

Respectfully submitted,

/s/ Angelica Harb

Angelica M. Harb
Law Office of Jason Blust, LLC
211 W. Wacker Dr., Ste. 200
Chicago, IL 60606
312-273-5001